

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23549 of 2022

Arising Out of PS. Case No.-451 Year-2020 Thana- MASHRAK District- Saran

Mintu Sah @ Mantu Sah Son Of Shankar Sah, R/O Village- Mashrakh, P.S.-
Mashrakh, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar Singh, Advocate Mr. Sanjay Kumar Singh, Advocate
For the Informant	:	Mr. Anis Akhtar, Advocate Mr. Rananjay Kumar, Advocate
For the Opposite Party/s	:	Mr. Lalan Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 17-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mashrakh P. S. Case No. 451 of 2020 lodged under Sections
341, 323, 307, 504 and 506/34 of the Indian Penal Code.

The allegation in the F.I.R. is that total 8 persons
including the present petitioner started chasing the informant
with *farsa* and made *farsa* blow on the head of the informant.
Subsequently, they snatched Rs.25,700/- and one golden chain,
due to this reason, the case has been lodged.

Learned counsel for the petitioner submits that from the same date and time of occurrence, two cases were filed. One case is the present one in which the petitioner is seeking bail and another case was filed by the mother of the present petitioner against the informant side which is Annexure-3 of the petition. Learned counsel for the petitioner further submits that from the addresses given in both the F.I.R., it shall be clear that both are the adjacent neighbour and dispute exists for exit of water from the tank. He further submits that sections 324 and 379 have been removed by the police in the charge sheet which is Annexure-2 of the supplementary affidavit. He further submits that petitioner is in custody since 10.02.2022, charge sheet has already been filed and he has clean antecedent.

Learned counsel for the State as well as informant vehemently opposes the prayer for bail and submits that there is direct allegation to assault in the F.I.R. but simultaneously admits that there is a case and counter case for the same date of event.

In the present facts and circumstances of the case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to

the satisfaction of learned Judicial Magistrate Ist Class, Saran at Chapra in connection with Mashrak P.S. Case No. 451 of 2020, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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